

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Palouse Country, Inc., Assignor)	
)	
and)	
)	
Inland Northwest Broadcasting, LLC, Assignee)	
)	
Application for Assignment of License for:)	
)	
Station KZZL-FM, Pullman, Washington)	File No. BALH-20040806ABA
)	Facility ID No. 26412
)	
Station KRAO-FM, Colfax, Washington)	File No. BALH-20040806ABB
)	Facility ID No. 15269
)	
Station KCLX(AM), Colfax, Washington)	File No. BAL-20040806ABC
)	Facility ID No. 15270
)	
Station KMAX(AM), Colfax, Washington)	File No. BAL-20040806ABD
)	Facility ID No. 13569

MEMORANDUM OPINION AND ORDER

Adopted: May 13, 2013

Released: May 14, 2013

By the Commission: Commissioner McDowell not participating.

1. The Commission has before it an Application for Review filed by Radio Palouse, Inc. (“RPI”). RPI seeks review of the December 11, 2007, action by the Media Bureau denying RPI’s Petition for Reconsideration and granting the above-captioned applications (“Assignment Applications”) filed by Palouse Country, Inc. (“PCI”) for Commission consent to assign four radio stations to Inland Northwest Broadcasting, LLC (“Inland”).¹ In granting the Assignment Applications, Bureau staff used the contour-overlap analysis methodology to determine Inland’s compliance with the local radio ownership rule, as is required whenever the stations at issue are located outside any Arbitron Metro radio market.² In its Petition for Reconsideration, RPI argued that the Bureau should have used an alternative market definition devised by RPI for this particular local radio market, comprised of only those stations licensed to three specific local communities. In the *Reconsideration Letter*, the Bureau found that such departure from the rules was not justified based on RPI’s factual showing, which it characterized as “opinion and estimates” unsupported by objective market data. The Bureau also observed that the Commission expressly rejected the type of case-by-case market analysis advocated by RPI when it revised the multiple ownership rules in the 2003 *Ownership Order*, for reasons of transparency, regulatory certainty, and

¹ David Tillotson, Esq., Letter, 22 FCC Rcd 21458 (MB 2007) (“*Reconsideration Letter*”).

² 47 C.F.R. § 73.3555(a)(1); 2002 *Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules*, Report and Order and Notice of Proposed Rulemaking, 18 FCC Rcd 13620, 13729-30 and 13870-73 (2003) (“*Ownership Order*”) (subsequent history omitted).

administrative efficiency. The *Reconsideration Letter* accordingly upheld the Bureau's earlier decision to grant the Assignment Applications and denied RPI's Petition for Reconsideration.

2. Upon review of the Application for Review and the entire record, we conclude RPI has not demonstrated that the Bureau erred. The Bureau, in the *Reconsideration Letter*, properly decided the matters raised, and we uphold its decision for the reasons stated therein.

3. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 5(c)(5) of the Communications Act of 1934, as amended,³ and Section 1.115(g) of the Commission's rules,⁴ the Application for Review IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

³ 47 U.S.C. § 155(c)(5).

⁴ 47 C.F.R. § 1.115(g).